

REMARKS

This is in response to the Office Action dated October 16, 2003. Claims 1-3, 6, 8-10, 13-17, and 19-20 are amended, and claims 21 and 22 are new.

Applicant has amended the application to satisfy the Examiner's requirements with regard to the title, specification, abstract, claim objections, and Section 112 rejections. The amendments to the claims in this regard are not narrowing amendments but are made to improve readability and grammar.

Applicant thankfully acknowledges the Examiner's indication of allowable subject matter with regard to claims 1, 4, 5, 15-18 and 20, as set forth in para 14 of the Office Action, and claims 2, 3, and 6-8 as set forth in para 15 of the Office Action. It is submitted that the foregoing amendments to improve readability and grammar render these claims in condition for allowance.


With regard to claims 9-14 and 19 which were rejected based on prior art, it is submitted that the amendments to these claims directed to the first and second thermal systems serve to distinguish the claimed subject matter from the cited art.

With regard to the statement of reasons for the indication of allowable subject matter, Applicant submits that the prior art of record does not disclose nor suggest a rethermalization system according to claim 21 as well, wherein the refrigeration sources may be other than coils. Likewise, the prior art of record does not disclose nor suggest a rethermalization system according to claim 22, wherein the latch member may be other than a pin.

All rejections are thus respectfully traversed and reconsideration and issuance of a notice of allowance is requested. In the event this response is not timely filed, Applicants hereby petition for the appropriate extension of time and request that the fee for the extension along with any other fees which may be due with respect to this paper be charged to our **Deposit Account No. 12-2355**.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: 

Robert O. Fox  
Registration No. 34,165



Application No. 10/020,011

P.O. Box 1871  
Knoxville, Tennessee 37901  
(865) 546-4305

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**\* \* \* CERTIFICATE OF MAILING \* \* \***

*I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.*

On January 6, 2004

Date

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Robert O. Fox, Reg. No. 34,165

RE THERMALIZATION SYSTEM AND METHOD FOR USE WITH FOOD  
TRAYS HAVING A HOT FOOD SIDE AND A COLD FOOD SIDE

Abstract of the Disclosure

A rethermalization system for food trays having a hot food side and a cold food side, the system includes a first thermal system having a heating source, a refrigeration coil and a blower; a second thermal system having first and second refrigeration coils and a blower; and a control system operable in one mode to activate the refrigeration coil of the first thermal system and the first refrigeration coil of the second thermal system, and operable in a second mode to activate the heating source of the first thermal system and the first and second refrigeration coils of the second thermal system.